

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

DOMINICK SAMMARONE, DANIEL
SOGLUIZZO, ARA M. MESROPIAN, and
all others similarly situated,

Plaintiffs,

v.

MORTGAGEIT, INC.

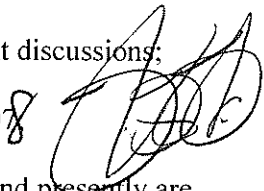
Defendant.

Civil Action No. 2:07-cv-03839-WHW-MCA

**JOINT STIPULATION AND
[PROPOSED] ORDER TO STAY
ACTION**

Plaintiffs Dominick Sammarone, Daniel Sogluizzo, and Ara Mesropian ("Plaintiffs") and Defendant MortgageIT, Inc. ("Defendant"), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on or about August 28, 2008, the Court entered the parties' Joint Stipulation and Order to Stay Action, to provide the parties a stay to facilitate settlement discussions;

WHEREAS, the Court's stay expired on or about September 26, 2008 

WHEREAS, the parties are continuing their settlement discussions and presently are attempting to schedule a mediation session to facilitate those discussions;

WHEREAS, the parties request an additional stay of 45 days to attend a mediation session; and

WHEREAS, Plaintiffs have further agreed to withdraw their pending motion to proceed as a collective action (Docket No. 20) without prejudice to their right to file a renewed motion at a later point;

NOW, THEREFORE, the parties hereby stipulate and agree that:


(1) Plaintiffs' pending motion to proceed as a collective action (Docket No. 20) is

withdrawn without prejudice to Plaintiffs right to file a renewed motion in the future;

(2) All activity of any kind in the within matter is hereby stayed for 45 days from the date of entry of the Court's Order approving this Stipulation; and

(3) Notwithstanding the preceding clause, any person desiring to file a consent to join this litigation may file such a consent with the Clerk of the District Court during the stay period.

**COHN, LIFLAND, PEARLMAN,
HERRMANN & KNOFF, LLP**

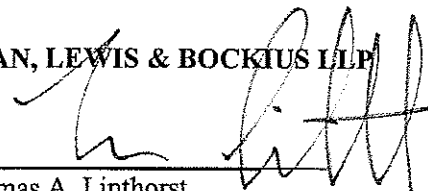
By: 
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*Attorneys for Plaintiffs Dominick Sammarone,
Daniel Sogluizzo, and Ara Mesropian*

Dated: October 8, 2008

MORGAN, LEWIS & BOCKIUS LLP

By: 
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Attorneys for Defendant MortgageIT, Inc.

Dated: October 8, 2008

APPROVED AND SO ORDERED:

Date: 9 Oct 2008


The Honorable William H. Walls
United States District Judge